

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

DOUGLAS TAYLOR,

Plaintiff,

Case No. 12-

vs.

DETROIT POLICE SERGEANT AARON YOPP,
DETROIT POLICE OFFICER LARRY WILLIAMS,
DETROIT POLICE OFFICER DAVID MEADOWS,
DETROIT POLICE OFFICER STEVEN RILEY,
DETROIT POLICE OFFICER ROBERT GADWELL,
DETROIT POLICE OFFICER JASON KLEINSORGE, in their individual capacities, jointly and
severally, and CITY OF DETROIT, a Municipal Corporation,

Defendants.

ROMANO LAW, P.L.L.C. BY: DANIEL G. ROMANO (P49117) DAVID G. BLAKE (P73544) Attorneys for Plaintiff 26555 Evergreen Road, Suite 1500 Southfield, Michigan 48075 248-750-0270 / fax 248-936-2105	
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*There is no other pending or resolved civil action between these parties
or other parties arising out of the transaction or occurrence alleged in
the complaint.*

COMPLAINT AND DEMAND FOR JURY TRIAL

NOW COMES Plaintiff, DOUGLAS TAYLOR, by and through his attorneys,
ROMANO LAW, PLLC, and complaining against the above-named Defendants, states as
follows:

COMMON ALLEGATIONS

1. Plaintiff, Douglas Taylor, is a resident of Wayne County, Michigan.

2. Defendant, City of Detroit, is a municipal corporation operating in Wayne County, Michigan.

3. The individual Defendants officers are Detroit Police Officers. At all times pertinent to the allegations contained in the Complaint, the individual Defendants were employees, agents or servants of Defendant, City of Detroit, and were acting within the scope of their employment as law enforcement officers, under the color of law, cloaked with the authority which was granted to them as a law enforcement officer of Defendant, City of Detroit. They are sued in their individual capacities.

4. The acts of Defendants, each of them, were undertaken willfully, intentionally, wantonly, recklessly, callously, and with deliberate indifference to the rights and welfare of the Plaintiff herein, entitling Plaintiff to exemplary damages under state law and punitive damages under federal law.

5. Insofar as the actions of the Defendants violate federally guaranteed civil and constitutional rights, they are actionable pursuant to 42 USC §1983, and attorney's fees are awardable pursuant to 42 USC §1988.

6. Insofar as Plaintiff's civil and constitutional rights under federal law are different or less expansive than Plaintiff's civil and constitutional rights under the Constitution of the State of Michigan, Plaintiff stated a claim under the Michigan Constitution.

COMMON ALLEGATIONS OF FACT

7. On May 18, 2010, at 2:00 p.m., Plaintiff was present at a home located at 12845 August Street in Detroit, Michigan.

8. At around 2 p.m. in the afternoon, Defendants executed a search warrant raid at 12845 August Street in Detroit, Michigan.

9. During the course of the raid, Defendants allegedly located narcotics on a table and subsequently unlawfully detained and arrested Plaintiff.

10. As a result of this unlawful arrest, Plaintiff was charged with three felony charges and wrongfully incarcerated for a approximately three (3) months at the Wayne County Jail.

11. Subsequently, each of the three felony charges pending against Plaintiff were dismissed.

12. That Defendants were belligerent, unreasonable, criminal and malicious in dealing with Plaintiff.

13. That the amount in controversy exceeds Seventy-Five Thousand Dollars and is otherwise within the jurisdiction of this Honorable Court.

14. That Plaintiff has suffered great embarrassment, humiliation and distress due to the Defendants' behavior.

COUNT I
SECTION 1983 AGAINST INDIVIDUALS

15. Plaintiff incorporates each of the Common Allegations as though fully stated herein.

16. That 42 USC Section 1983 provides for civil liability for deprivation of any right, privilege and immunity carried by the constitution and laws of the United States and the State of Michigan.

17. That at all times material herein, Defendants were acting under color of law.

18. That at all times material herein, said Defendants subjected Plaintiff to deprivation of his rights, privileges and immunity secured by the Constitution of the United States and, more specifically, Amendments 4 and 14 of the laws of the United States and the State of Michigan.

19. That the above referred to customs and practices implemented by Defendants proximately caused the injuries and losses to Plaintiff as alleged herein thereby depriving Plaintiff of his rights, privileges and immunities secured by the United States Constitution and Amendment 4.

WHEREFORE, Plaintiff demands judgment against Defendants in whatever amount the Plaintiff s are entitled together with exemplary and punitive damages, plus interest, costs, and attorney fees.

COUNT II
GROSS NEGLIGENCE, WILLFUL AND WANTON MISCONDUCT

20. Plaintiff hereby realleges and restates each and every allegation contained in Paragraphs 1 through 19 as if fully stated herein.

21. The Defendants' owed duties to Plaintiff not to illegally detain him, not to illegally search him, not to illegally and unlawfully cause his prosecution, a duty to develop and follow proper police procedures and regulations, and a duty to act reasonably within the authority granted to them by the laws of the State of Michigan; duties which were all breached by Defendants.

22. The Defendants, willfully, wantonly detained and terrorized Plaintiff, without justification, provocation or excuse and without consent.

23. As a direct and proximate result of the aforesaid mentioned gross negligence, the wanton and unreasonable and reckless conducts of the Defendants, Plaintiff sustained severe injuries and damages.

WHEREFORE, Plaintiff demands judgment against Defendants in whatever amount Plaintiff is entitled together with exemplary and punitive damages, plus interest, costs, and attorney fees.

COUNT III
FALSE ARREST

24. Plaintiff hereby realleges and restates each and every allegation contained in Paragraphs 1 through 23 as if fully stated herein.

25. That by reason of the wrongful acts of Defendants, Plaintiff was falsely arrested and/or detained.

WHEREFORE, Plaintiff demands judgment against Defendants in whatever amount the Plaintiff is entitled together with exemplary and punitive damages, plus interest, costs, and attorney fees.

COUNT IV
FALSE IMPRISONMENT

26. Plaintiff hereby realleges and restates each and every allegation contained in Paragraphs 1 through 25 as if fully stated herein.

27. That by reason of the wrongful acts of Defendants, Plaintiff was falsely imprisoned.

WHEREFORE, Plaintiff demands judgment against Defendants in whatever amount the Plaintiffs are entitled together with exemplary and punitive damages, plus interest, costs, and attorney fees.

COUNT V
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

28. Plaintiff hereby realleges and restates each and every allegation contained

in Paragraphs 1 through 27 as if fully stated herein.

29. The acts of Defendants in terrorizing Plaintiff, constituted an extreme, outrageous and intentional infliction of emotional distress which caused him to suffer severe and continuing emotional distress.

30. As a direct and proximate result of the acts and omissions of the Defendants, Plaintiff is suffering severe emotional distress, which includes but not limited to, shame, embarrassment, humiliation, degradation, mental anguish, all of which were caused by the defendants' unjustified and unlawful conduct.

WHEREFORE, Plaintiffs demand judgment against Defendants in whatever amount the Plaintiffs are entitled together with exemplary and punitive damages, plus interest, costs, and attorney fees.

COUNT VI: CONSPIRACY

31. Plaintiff hereby realleges and restates each and every allegation contained in Paragraphs 1 through 30 as if fully stated herein.

32. The acts of the individual Defendants in the bringing of false criminal charges were acts undertaken in concert by the individually named Defendants comprise a conspiracy to violate Plaintiff's civil rights, pursuant to 42 USC §1983.

33. These acts caused damages to Plaintiff.

WHEREFORE, Plaintiffs demand judgment in their favor and against the Defendants in whatever amount Plaintiffs are found entitled together with costs, interest, and attorney fees.

Respectfully submitted,

By: /s/ Daniel G. Romano
DANIEL G. ROMANO (P49117)
DAVID G. BLAKE (P73544)
ROMANO LAW, P.L.L.C.
Attorneys for Plaintiff
26555 Evergreen, Suite 1500
Southfield, MI 48076
(248) 750-0270
dromano@romanolawpllc.com
dblake@romanolawpllc.com

Dated: July 9, 2012

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EASTERN DISTRICT OF MICHIGAN
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DOUGLAS TAYLOR,

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DEMAND FOR JURY TRIAL

NOW COMES, the above-named Plaintiff, by and through his attorneys, ROMANO LAW, P.L.L.C., and hereby makes formal demand for a trial by jury of the facts and issues involved in this cause of action.

Respectfully submitted,

By: /s/ Daniel G. Romano
DANIEL G. ROMANO (P49117)
DAVID G. BLAKE (P73544)
ROMANO LAW, P.L.L.C.
Attorneys for Plaintiff
26555 Evergreen, Suite 1500
Southfield, MI 48076
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dromano@romanolawpllc.com
dblake@romanolawpllc.com

Dated: July 9, 2012